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Judge: Brian D. Lynch
Chapter: 7
Hearing Date: April 2, 2019
Hearing Location: Vancouver
Response Date: March 26, 2019

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10 **IN THE UNITED STATES BANKRUPTCY COURT**
11 **FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA**

12 In re

13 **NELSON M MELO and SANDRA K.**
14 **MELO,**

15 Debtors.

Case Number: 17-43644-BDL

16 **OBJECTION TO CLAIM OF MARTEN**
17 **TRANSPORT**

(Claim Number 4-1)

18 COMES NOW Morgan Melo, and objects to the proof of claim, claim number 4-1, of
19 Marten Transport, Ltd., a Delaware corporation ["Marten Trnsport"].

20 The grounds for the objection are that the claim is unenforceable against the debtors
21 or property of the estate. 11 U.S.C. §502(b)(1).

22 In support of the objection, Morgan Melo states:

- 23 1. Morgan Melo is a party in interest in this case.
24 2. Marten Transport filed a proof of claim in this case, claim number 4-1, on Au-
25 gust 3, 2017, in the amount of \$770,271,17.
26 3. Upon review of Claim number 4-1, Marten Transport was a party to a contract

OBJECTION TO CLAIM OF MARTEN
TRANSPORT — 1

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1 with TreCore Construction Management, LLC, a Washington Limited Liabil-
2 ity Company [“TreCore”], which forms the basis the claim asserted in proof
3 of claim 4-1.

4 4. The debtors are not parties to the contract between Marten Transport and
5 Trecore.

6 5. Marten Transport has no legal or equitable basis for a claim to be allowed
7 against the debtors.

8 6. There is no evidence in the proof of claim to verify a the debtors are liable to
9 Marten Transport in the amount of \$770,271.17.

10 This objection is based on the record and files in this case. It is submitted pursuant to
11 11 U.S.C. §502(b)(1) and Fed. R. Bankr. P. 3007.

12 WHEREFORE, for the reasons set forth above, Morgan Melo requests that this court
13 disallow claim number 4-1 in full.

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15 Dated: January 17, 2019

/s/ J. D. Nellor

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